REMARKS

Claims 1-31 are pending in this application. Claims 1, 11, 21, and 31 have been amended to remove means-plus-function language. New independent claims 32, 33, 34, and 35 have been added. Applicants would like to thank the Examiner for acknowledging the foreign priority documents.

The disclosure is objected to because of informalities. Appropriate correction has been made according to the suggestions made on page 2 of the Office Action. Fig. 3 of the drawings has been objected to. Appropriate correction to Fig. 3 has been made as suggested in the Office Action. Support for these corrections can be found at paragraph [0067] of the publication of the present specification. Further, the orientation of the figure labels has been changed to comply with the rules. No new matter has been added by these amendments. Claims 1, 5, 7, 11, 15, 17, 21, 25, 27, and 31 had been objected to because of lack of sufficient antecedent basis. Claims 1, 5, 7, 11, 15, 17, 21, 25, 27, and 31 have been amended to overcome these objections. No new matter has been added by these amendments.

In the Office Action claims 21-31 are rejected under 35 U.S.C. §101. Independent claims 21 and 31 have been amended to add structure of a computer-readable media to overcome this rejection. Claims 22-30 dependent from their amended independent claims and are allowable because they are directed to statutory subject matter.

Claims 5, 15, and 25, have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claims 5, 15, and 25 have been amended as recommended by the Office Action to overcome this rejection. These amendments do not change the scope of the claims. Reconsideration is respectfully requested.

Claims 1-31 are rejected under 35 U.S.C. § 102(e) as being anticipated by Lee et al. (U.S. Patent No. 6,601,101). Applicants respectfully traverse this rejection and request reconsideration based on the following arguments.

Claim 1 explicitly recites that the transfer controller establishes **"a new session between said intermediate device and said first information processing device."** (Emphasis added). The method as recited in amended claim 1 is not disclosed in the figures or the cited language of Lee at al.

The Office Action on Page 6 has identified switch 120 as corresponding to the claimed intermediate device and has cited column 6, lines 25-28 as disclosing this limitation. Applicants respectfully disagree. The this cited portion, Lee et al. merely states "[T]he reporting and acknowledging steps of this process may be carried out between the first device and switch, between the second device and switch, or between some other combination of entities."

However, this section does not disclose "establishing a new session between said intermediate device and said first information processing device" as required in claim 1. Lee et al. only discloses reporting and acknowledging between the first or second device to the switch (the intermediate device) on an existing session. It does not require that a new session be established between the switch (the intermediate device) and the first information device as explicitly required by claim 1. For this reason alone claim 1 is in immediate condition for allowance.

Further claim 1 explicitly recites that the transfer controller transfers **"said data of said information processing service using said existing session and said new session,** according to said transfer rules."** (Emphasis added). The method as recited in amended claim 1 is not disclosed in the figures or the cited language of Lee at al.

Column 6, lines 34-38 of Lee et al. states "[T]o prevent the loss of messages, the first device, at the network transport layer, the application layer, or another layer, can buffer messages from the client and forward them to the second device upon completion of the handoff." This cited portion of Lee et al. only discusses preventing message loss where the first device can buffer messages from the client and send them at when the hand off is complete. This section does not teach or suggest establishing a new session as described above let alone **"transferring said data of**

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said information processing service using said existing session and said new session."
(Emphasis added).

The quoted sections of Lee et al. at best discloses reporting and acknowledging between the first or second device to the switch on an existing session where the first device can buffer messages from the client and send them at when the hand off to a second device is complete in order to prevent message loss. Therefore, the intermediate device as recited in claim 1 is not taught or suggested in Lee at al. Claim 1 is allowable for this additional reason.

Independent claims 11, 21, and 31 include the limitation "establish[ing] a new session between said intermediate device and said first information processing device, and transfer[ring] said data of said information processing service using said existing session and said new session" as recited in claim 1 but for corresponding method and program claims. Therefore, claims 11, 21, and 31 are allowable for at least the reasons discussed above in connection with claim 1.

New independent claims 32, 33, 34, and 35 have been added to more fully cover the scope of the present invention in means-plus-function format. Favorable consideration and allowance of claims 32-35 is respectfully requested.

All other claims are dependent claims and include all of the limitations found in the independent claims. These dependent claims have further limitations which, in combination with the limitations of the independent claims, are neither disclosed nor suggested in the art of record. Therefore, all the dependant claims are allowable.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By _Richard LaCava_

Richard LaCava
   Registration No.: 41,135
DICKSTEIN SHAPIRO LLP
1177 Avenue of the Americas
New York, New York 10036-2714
(212) 277-6500
Attorney for Applicant

Attachments